

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID SABINO QUAIR, III,

Plaintiff,

v.

BOARD OF PAROLE HEARINGS, et al.,

Defendants.

No. 2:20-cv-0747 JAM DB

FINDINGS AND RECOMMENDATIONS

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983. By order dated September 28, 2020 plaintiff was directed to submit a completed application to proceed in forma pauperis or pay the filing fee within thirty days. (ECF No. 6.) He was warned that failure to pay the filing fee would result in a recommendation that this action be dismissed. The time to pay the filing fee or submit an application to proceed in forma pauperis has passed, and plaintiff has not paid the filing fee or moved to proceed in forma pauperis, requested additional time to pay the fee or file a motion to proceed in forma pauperis, or otherwise responded to the court's order. Accordingly, the court will recommend that this action be dismissed for failure to prosecute and failure to comply with court orders.

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1 Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without  
2 prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

3 These findings and recommendations are submitted to the United States District Judge  
4 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days  
5 after being served with these findings and recommendations, plaintiff may file written objections  
6 with the court and serve a copy on all parties. Such a document should be captioned  
7 “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that  
8 failure to file objections within the specified time may waive the right to appeal the District  
9 Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

10 Dated: December 9, 2020

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14 DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE

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